

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41194 of 2016

Arising Out of PS.Case No. -294 Year- 2015 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Siyaram Sahani @ Shiv Ram Sahani Son of Mahendra Sahani resident of
village - Kaparsandi, Police Station Banjaria, District - East Champaran at
Motihari Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 06-10-2016

Heard both sides.

The petitioner apprehends his arrest in Sugauli P.S.
case No.294/ 2015 under Section 307 and other Sections of the
Indian Penal Code and under Section 27 of the Arms Act.

The informant, Anand Kumar, named 37 persons and
alleged that they all came to his field and started ploughing the
field with tractor. Ruplal Rai, father of the informant, protested on
such Rajendra Sahni ordered to kill thereafter Siyaram Sahni, the
petitioner, Achhelal Yadav and other accused persons are alleged
to have made firing.

It is submitted that, of course, the petitioner also fired
but nobody got any fire arm injury. The entire allegation is false
and concocted and the present case is filed only to create a
defence. The true facts are that from the side of petitioner, on the

statement of Rajendra Sahni, Sugauli P.S. case No. 293 of 2015 was registered under Section 302 and other Sections of the IPC and under Section 27 of the Arms Act in which prosecution side opened firing causing the death of Meghu Sahni, tractor driver of Rajendra Sahni.

Considering the facts aforesaid and the fact that petitioner, of course, is alleged to have made firing but there is counter case, nobody injured in the firing made by the petitioner and other accused persons have already been granted anticipatory bail, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in Sugauli P.S. Case No. 294 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--